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WOOD, HERRON & EVANS, L.L.P.

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THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, PH.D.

OF COUNSEL
JOHN D. POFFENBERGER
THOMAS W. FLYNN

2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OHIO 45202-2917
TELEPHONE: 513-241-2324
FACSIMILE: 513-241-6234
EMAIL: info@whepatent.com
PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1938-1971

JOSEPH R. JORDAN
C. RICHARD EBY
DAVID E. PRITCHARD

J. DWIGHT POFFENBERGER, JR.
KATHRYN E. SMITH
KRISTI L. DAVIDSON
P. ANDREW BLATT, PH.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, PH.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER
WESLEY L. STRICKLAND (VA, DC BAR ONLY)
STEVEN W. BENINTENDI, PH.D.
RANDALL S. JACKSON, JR.

TECHNICAL ADVISORS
HENRY M. LABODA, PH.D.

October 12, 2004

FACSIMILE COVER SHEET

To: Examiner Jordan M. Lofdahl
Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

Fax: 703-872-9306

Enclosures:
Fax Cover Sheet containing Certificate of
Facsimile Transmission (1 page)
Transmittal containing Certificate of
Facsimile Transmission (2 pages)
Response and Amendment (13 pages)

From: Douglas A. Scholer
Reg. No. 52,197

Re: U.S. Patent Application
Serial No. 10/700,412
Filed: November 4, 2003
Applicant: Robert McClure et al.
Art Unit: 3644
Confirmation No.: 5783
Our Ref: DBS/02

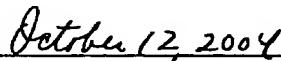
Pages: 16 (including cover sheet)

MESSAGE/COMMENTS
OFFICIAL

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Judith L. Volk


Date

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PATENT
 Atty Docket No. DBS/02/262
 Confirmation No. 5783

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Judith L. Volk October 12, 2004
 Judith L. Volk Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Robert McClure et al.	Art Unit:	3644
Serial No.:	10/700,412	Examiner:	Jordan M. Lofdahl
Filed :	November 4, 2003		
For :	Positional Blasting System		

Mail Stop AMENDMENT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is a Response and Amendment.
2. Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
 Enclosed is a verified statement to establish Small Entity status
 Other than a Small Entity

3. The fee has been calculated as shown below:

CALCULATION OF FEES

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	28	minus	28	0	\$18	\$0.00
Independent Claims	7	minus	7	0	\$88	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$300	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

No additional fee for claims is required.

4. Attached is a check in the sum of \$_____ for additional claims.
 Please charge my Deposit Account No. 23-3000 in the amount of \$_____.

5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

(a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 430.00	\$ 215.00
<input type="checkbox"/> three months	\$ 980.00	\$ 490.00
<input type="checkbox"/> four months	\$1,530.00	\$ 765.00
<input type="checkbox"/> five months	\$2,080.00	\$1,045.00

Extension fee due with this request: \$_____

Method of Payment: Check enclosed in the amount of \$_____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

An extension for _____ months has already been secured and the fee paid therefor of \$____ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$____.

OR

(b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

6. If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:



Douglas A. Scholer
Reg. No. 52,197

2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202-2917
Telephone: (513) 241-2324
Facsimile: (513) 241-6234

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PATENT

DBS/02
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Judith L. Volk
Judith L. Volk

October 12, 2004
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert McClure et al.
Serial No.: 10/700,412
Filed: November 4, 2003
For: Positional Blasting System

Art Unit: 3644
Examiner: Jordan M. Lofdahl
Atty. Docket No.: DBS/02

RESPONSE AND AMENDMENT

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated July 12, 2004, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.

Page 1 of 13
Serial No. 10/700,412
Response and Amendment dated October 12, 2004
Reply to Office Action of July 12, 2004
WH&E DBS/02
K:\DBS\02\Amendment and Response to 7-12-04 OA.wpd